

5/023/029



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
FILLMORE FIELD OFFICE
35 East 500 North
Fillmore, Utah 84631



In Reply Refer to:
3800
(U-010)
UTU-070634

March 15, 2004

CERTIFIED MAIL #7003 2260 0005 6848 5844
RETURN RECEIPT REQUESTED

DECISION

MICHAEL PROVSTGAARD
808 W 5950 S
PALMYRA UT 84660

ADDITIONAL INFORMATION
REQUIRED---
43 CFR 3809.552(a)

Revised Reclamation Cost Estimate Required

On January 13, 2003, you submitted a request to extend notice UTU-070634, along with your reclamation cost estimate (RCE). Your notice has been conditionally extended. In order to permanently extend the notice, §3809.333 requires that a financial guarantee be provided in an amount and in a form acceptable to the BLM. The RCE (copy enclosed) you submitted totaled \$2300.00. However; our review of the RCE along with our observations at a December 2, 2003 surface compliance inspection, have revealed that the amount of \$2300 is insufficient. We will go through the RCE you submitted item by item:

A. Earthwork/Recontouring

1. Roads. We understand that you plan to have Juab County submit an assertion that the road through your mine site is an RS 2477 Right-of-Way (ROW) road. However; within the past 15 years, you have realigned the road. The portion of the road that was realigned after the repeal of R.S. 2477 may not be considered part of the RS 2477 ROW. Also, we have documentation that the road has been gated and locked for over 13 years, and as such any right the county or state may be able to claim may be considered to have been abandoned, since stipulation 3d of the Memorandum of Understanding between the State of Utah and the Department of the Interior states that to be eligible for RS 2477, "the road was and continues to be public". If Juab County

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does submit an assertion on the road, we will consult with our solicitors to determine if you should be required to bond for reclamation of it until such time as the State of Utah applies for and receives a disclaimer of interest for the road from the Federal Government.

2. Drill Site(s)-not applicable.

3. Drill Hole Abandonment-not applicable.

4. Pit/Adits/Trenches. Your notice indicates that you are still mining in the vertical shaft on site. As such, it must be included in your reclamation plan. You must install a permanent cap on the shaft and include the cost of doing so in your RCE. You must also either knock or blast down any highwalls or berm them to mitigate any public safety hazards.

5. Process Ponds-not applicable.

6. Heaps-not applicable.

7. Dumps (Waste and Landfill). You proposed \$500 for the cost of recontouring the dumps. We do not have the information at this time to enable us to agree with this figure.

8. Tailings-not applicable.

9. Structure and Building Areas. Included in item (10).

10. Storage and Equipment Areas. You proposed \$1000 for the cost of recontouring these areas. That is probably a realistic figure.

11. Drainage Control-not applicable.

12. Mobilization/Demobilization. You proposed \$500 for Mob and Demob. If only one piece of equipment is needed, that may be a realistic figure.

13. Miscellaneous. We can think of no miscellaneous items at this time.

B. Revegetation/Stabilization.

1-13. You did not include costs of revegetation of any of the disturbed areas.

C. Detoxification/Water Treatment/Disposal of Wastes-not applicable.

D. Structures, Equipment and Facilities Removal. You did not include the costs of demolishing and removing the buildings and facilities.

F-I You did not include any of the administrative costs except for insurance. You estimated \$300 for insurance, which was probably higher than will be required.

Enclosed is a new Reclamation Cost Estimation Summary Sheet. It has been recently revised to reflect amended BLM policies on administrative costs. Please use it to recalculate your Reclamation Cost Estimate and submit it to this office within 30 days of receipt of this decision. If you have any questions on the administrative or other costs, please feel free to contact Sheri Wysong at (435) 743-3124.



Enclosure

Reclamation Cost Estimate

Reclamation Cost Estimation Summary Sheet

cc: Tom Munson, UDOGM (S/023/029)